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4 UNITED STATES DISTRICT COURT
5 WESTERN DISTRICT OF WASHINGTON
6 AT TACOMA

7 JEREMY WOLFSON,

8 Plaintiff,

9 v.

10 BANK OF AMERICA NATIONAL
ASSOCIATION, et al.,

11 Defendants.

CASE NO. C17-6064 BHS

ORDER DENYING PLAINTIFF'S
MOTION TO ALTER OR AMEND
JUDGMENT

12 This matter comes before the Court on Plaintiff Jeremy Wolfson's ("Wolfson")
13 motion to amend judgment. Dkt. 53.

14 On December 13, 2018, the Court granted Defendants Intercontinental Exchange,
15 Inc., and Maroon Holding, LLC's ("MERS Parent Corporations") motion to dismiss and
16 granted in part and denied in part Defendants Bank of America National Association
17 ("Bank of America"), Merscorp Holdings, Inc. ("Merscorp"), and Mortgage Electronic
18 Registration Systems, Inc.'s ("MERS") motion to dismiss. Dkt. 52. On January 10,
19 2018, Wolfson filed a motion to amend judgment. Dkt. 53.

20 To the extent Wolfson's motion is a motion to amend a judgment, the Court denies
21 the motion because the Court did not enter a judgment.
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1 To the extent Wolfson intended to file a motion for reconsideration, the Court also
2 denies the motion because it is untimely and without merit. Regarding the merits,
3 Wolfson objects to the Court's dismissal of his claim to quiet title. The Court, however,
4 finds no manifest error in dismissing the claim when Wolfson failed to allege "he has
5 paid the loan and is in peaceful possession of the property." Dkt. 52 at 7.

6 Wolfson also argues that the Court should have granted him leave to amend "so as
7 to omit Defendant MTC FINANCIAL INC. D/B/A TRUSTEE CORPS, the only
8 Washington corporation, so as to have jurisdiction under § 1332." Dkt. 53 at 7.
9 Wolfson's complaint, however, included claims for violations of federal statutes, which
10 confers jurisdiction on the Court under 28 U.S.C. § 1331. Dkt. 1. Wolfson may
11 voluntarily dismiss his remaining state law claims without prejudice if he does not want
12 the Court to retain supplemental jurisdiction under 28 U.S.C. § 1367. The Court declines
13 to dismiss *sua sponte* at this point in the proceeding because it is unclear the amount
14 Wolfson seeks in damages for his remaining claims for defamation and replevin against
15 the remaining diverse defendants. Regardless, the Court **DENIES** Wolfson's motion to
16 amend judgment.

17 **IT IS SO ORDERED.**

18 Dated this 14th day of January, 2019.

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21 BENJAMIN H. SETTLE
22 United States District Judge